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# JORDAN RULE OF LAW PROGRAM

**9<sup>TH</sup> QUARTERLY REPORT OCTOBER - DECEMBER**

## **ACRONYMS**

ACJLS	Arab Center for Judicial and Legal Studies
CBO	Community Based Organization
CSP	Civil Society Program
CSS	Client Support Specialist
DMS	Document Management System
FJP	Future Judges Program
ICNL	International Center for Not-for-Profit Law
IFH	Institute for Family Health
IQC	Indefinite Quantities Contract
IRC-KHF	Information Research Center – King Hussein Foundation
JC	Judicial Council
JIJ	Judicial Institute of Jordan
JOB	Jordanian Ombudsman Bureau
MIZAN	Automated case file management system tailor-made for Jordan courts and supporting departments. MIZAN V2 is the enhanced automated version of MIZAN V1
MOE	Ministry of Education
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
MOW	Ministry of Water
NCHR	National Center for Human Rights
ROLP	Rule of Law Project
SGN	Secure Government Network

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### **EXECUTIVE SUMMARY**

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## **EXECUTIVE SUMMARY**

The Cassation Court Technical Office has seen many changes this past quarter. Judge Shamoot was formally named as the head of the Technical Office by the Judicial Council and four new judges were appointed. Additionally, ROLP is helping TO personnel draft internal regulations to govern the internal work of the office and is providing the office with new computers and other office equipment. The office is also taking steps to identify legal researchers for appointment to the Technical Office. Aside from these changes, the Technical Office received its first request of a legal opinion sent by a Cassation Court panel this quarter.

ROLP's Foundation Level Court Administrator training program was developed to help the MOJ increase its institutional capacity and to develop standardized procedures. The program concluded with 21 students who received passing final scores, deeming them eligible for JIJ certification. This program successfully resulted in a cadre of court administrators becoming more knowledgeable in international court administration practices.

ROLP's court automation team completed the rollout of the MIZAN Criminal Case Satisfaction of Judgment System in all 16 FI courts. In its' effort to help build its' capacity to independently sustain and support technology, the MOJ is rolling out the Criminal Case Satisfaction of Judgment System to conciliation courts with only as-needed support from ROLP. To date, the MOJ has launched 23 conciliation courts. The Notary Public application was also launched to all 16 FI courts. Similarly the MOJ is launching with only as-needed support the Notary Public system to conciliation courts. .

Since MIZAN functionality does not currently track case file storage locations, movements or check-out by individuals, ROLP has been working with the Optimiza Software Development Company to develop computer software to improve records security. Requirements for case file tracking, security and design-appropriate enhancements to MIZAN are currently being identified.

A web portal on the MOJ website was created by eStarta, a subcontractor to ROLP, and published on the internet. This allows the public to gain access to information regarding cases and court hearing schedules from the MIZAN system, similar to that available on the in-court kiosks. This portal, launched in October, is receiving thousands of requests weekly.

The chief judge of the North Amman FI court finalized ROLP's recommendations for the North Amman Court Renovation. The proposed layout will combine all administrative departments on one floor, expand warehouses, and introduce voice paging. These improvements will reduce file movement, ease procedural burdens and streamline the court's notification process of calling parties or witnesses during trials.

In an ongoing effort to enhance the use of management information from the MIZAN systems and to introduce court performance indicators, ROLP has awarded a small grant of JD 70,797 (\$99,995 USD), funded by USAID, to the Arab Council for Judicial and Legal Studies (ACJLS) for their unsolicited proposal entitled, “Establishing Indicators for Monitoring the Performance of the Judiciary and using those standards to Strengthen the Management of the Judiciary in Jordan.”

## **OBJECTIVE 1: ENHANCE JUDICIAL PERFORMANCE TO REDUCE DELAYS AND INCREASE PUBLIC CONFIDENCE**

### **Cassation Court Technical Office**

Judge Shamoot was named by the JC as head of the Technical Office. Four other judges were appointed to the TO and office space has been allocated on the new cassation court premises. ROLP is working with TO personnel to:

- Draft internal regulations to govern the TO’s internal work
- Equip the office with computers and other needed office equipment
- Identify and interview a number of legal researchers for appointment to the TO

The TO received its first request of a legal opinion sent by a Cassation Court panel. This particular request was regarding the new tenant and landlord law.

### **Court Administration**

ROLP is assisting the MOJ increase its institutional capacity and develop standardized procedures

### **Court Administrator Program**

A committee of senior professors and administrators in Jordanian universities assessed Court Administrator students’ Capstone research papers. Final exams were scored by the Arab Society for Intellectual Property, the subcontractor who conducted the training and testing and also a leading professional services firm in the Middle East. The research papers and exams were part of the final evaluation of students in the Foundation Level courses of the court administrators’ training curriculum. The training program addresses all of the core competencies defined by the National Association of Court Management, a US organization to promote professionalism and standards for court administration and graduate degree and non-credit certification programs offered by Michigan State University’s Judicial Administration Program. To measure the graduate’s competency and success of the training program ROLP compared the court administrator’s test and Capstone project results with MSU’s certificate eligibility requirements finding that all 21 would have been approved for certification. This has been a very successful program resulting in a cadre of court administrators more knowledgeable in international court administration practices. The Capstone research papers described reform programs that each court administrator student intends to implement in his or her court during 2011. Grassroots programs similar to this

program will be supported by ROLP during the third project year. Preparation for the Intermediate Level training program of the first quarter 2011 has begun.

### **Records Management Enhancements**

The ROLP court reengineering team began implementing recommendations of records management enhancements to improve the efficiency and security of court records and case files to the North Amman Court. The court will be equipped with organizational tools such as barcode printers, barcode readers, and special boxes for large case files, and archive systems.

### **North Amman Court Renovation**

ROLP has been working with a local architect and the North Amman FI court to formulate recommendations for improved use of the existing facility and making minor renovations to reduce file movement and ease procedural burdens. The chief judge of the court finalized the recommendations which included a proposed layout to combine all administrative departments on one floor and expand warehouses. ROLP will assist the court in implementing these recommendations in the coming months.

Additionally, voice paging for each floor in the North Amman Court has been approved. This addition will facilitate calling parties or witnesses related to cases during trials, streamlining the notification process for cases to proceed without delay.

## **TECHNOLOGY SYSTEMS**

### **Support of Automated Systems in the Courts**

ROLP provides follow up services to courts using MIZAN V1 and V2, including assistance with resolving technology issues for quality assistance, clerk and typist staff to verify accurate and timely data entry into the system.

Additionally, ROLP supported rollout activities for new automated applications for various departments at courts such as Notary Public, Criminal and Civil Execution.

ROLP also assisted with Business and Technical support services in the production courts. Staff augmentation services provided by ROLP for quality assurance and follow-up clerk functions guarantee that information moving into and through the court is completely and accurately recorded in the MIZAN application.

### **Criminal Case Satisfaction of Judgment Software System Rollout & Strengthening the Institutional Capacity of the MOJ IT Directorate**

The ROLP completed rollout of the MIZAN Criminal Case Satisfaction of Judgment System in all 16 FI courts. In its effort to help build its capacity to independently sustain and support technology, the MOJ is rolling out the Criminal Case Satisfaction of Judgment System to conciliation courts with only as-needed support from ROLP. One-on-one training for all pertinent court staff was provided on the functionality of the Criminal Case Satisfaction of Judgment System. Thus far, 23 conciliation courts have launched this new system.

### **Notary Public Rollout**

The Notary Public application was launched in all 16 FI courts. ROLP is preparing to launch the system at conciliation courts with MOJ staff.

### **Records Management/MIZAN Enhancements**

Since MIZAN functionality does not currently track case file storage locations, movements or check-out by individuals, computerized functionality to improve record security has long been desired by the MOJ and courts. ROLP has been working with the Optimaiza Software Development Company to identify courts' requirements for case file tracking, security and design-appropriate enhancements to MIZAN.

### **Application Development and Maintenance Activities**

ROLP continued supporting the MOJ with the MIZAN V2 application suite and services offered in the Judicial Enterprise Architecture. In order to continue issuing task orders for additional programming services of enhancing or developing new MIZAN functions to meet MOJ requests, ROLP extended its agreement with Optimiza.

ROLP managed Optimiza's activities of; migrating the Conciliation Courts' databases from MIZAN V1 to V2, resolving Criminal Case Satisfaction of Judgment and Notary Public application issues discovered during rollout, and completing approximately 80% of the data exchange integration between the Notary Public application and the Land Department records. A pilot of the Civil Execution System software is being tested at the West Amman FI court.

### **Web Portal**

A web portal on the MOJ website was created by eStarta, a subcontractor to ROLP, and published on the internet. This allows the public to access information about cases and court hearing schedules from the MIZAN system, similar to that available on the in-court kiosks. The portal was launched in October and is already receiving thousands of information requests weekly from the MOJ website. This high traffic emphasizes the importance of accurate and timely data entry by court staff into the MIZAN system.

### **Dashboard Reports**

ROLP also continued work with eStarta on the enhancement of MIZAN's statistical reporting capabilities. The goal of this project is to refine statistics gathered and develop an improved interface for the delivery of statistics to all users, including judges, court administrators or MOJ staff.

The first implementation of Dashbord included the 'age of pending cases' and 'court clearance rate'. A new application, 'age of disposed cases', was developed and is currently in a testing stage.

### **Linking MIZAN with Public Entities**

Collaboration between the ROLP and MOJ continued throughout this quarter for the development of MIZAN functionality to share case information with the Ministry of Water (MOW) and to assist the MOJ develop a Criminal Records automated system.

Enhancements to MIZAN for MOW data exchange were successfully tested and approved by the MOW. Launch of this functionality in the MOW is pending MOW's efforts to complete linkage of their internal system to the Jordanian secure government network (SGN).

All MOJ's requests to the ROLP for information and assistance to develop a criminal records system have been successfully satisfied. MOJ is still working on developing the application.

### **Document Management System**

The MOJ had previously procured from ITEC Company a document management software system (DMS) to integrate scanning of case documents with the MIZAN case management system. ROLP completed software modification to MIZAN that allow the integration of the DMS with the Criminal Case Satisfaction of Judgment system and the Notary Public system. ROLP is currently developing similar integration for the Civil Case Satisfaction of Judgment system.

### **Legal Amendments**

The 'State Cases Directorate Law of 2010' removes this entity, State Cases, from a department within the judiciary to a directorate within the MOJ. This directorate will act as a legal advisor to the government in legal disputes. ROLP's organizational development consultant, Muna Hakooz, met State Case Department judges to build upon the suggested organizational structure. ROLP conducted site visits to all FI courts in the Kingdom to collect statistics on how many and what types of cases are filed in each department to determine relative work loads of each court.

## **OBJECTIVE 2: PROMOTE AN INDEPENDENT AND EMPOWERED JUDICIARY WHILE INCREASING ITS TRANSPARENCY AND ACCOUNTABILITY**

### **DEVELOP CAPACITY IN JUDICIAL COUNCIL**

To assist the JC in the implementation of the Judicial Council Administrative Units Regulation of 2010, the ROLP is working to create and implement three administrative units; Judges Affairs, Secretariat for the JC and Education, Training and Specialization. These units provide a much needed administrative structure for the JC and will generate human resources management and recordkeeping for judges. Additionally, ROLP is building an automated database of information for the Judges Affairs Unit.

The "as-is" analysis of JAU records (including personnel files, CVs, training and certification) has been completed.



## **Judicial Education and Training**

### **Judicial Studies Diploma Program**

ROLP is helping to inspire and prepare candidates to become engaged members of the judicial system.

All Judicial Studies Diploma Program students will begin their second semester of second year studies in early 2011. This program prepares students, with the finest legal training, to be judges or prosecutors.

### **Future Judges Program (FJP)**

The training of future judges provides opportunities to cultivate leaders who will embrace the ideals of judicial integrity, independence and accountability.

The Unit coordinates registration to the British Council and the French Cultural Center for intensive language training, in both English and French, to FJP students in sync with their university schedules. Additionally, immense follow up is made for each student with regards to their academic progress and financial aspects related to their studies.

- Graduate Students/2008 & 2010 Group (Track 1)
  - Two students in this track are currently enrolled in foreign law programs, in the US and UK.
- Senior Undergraduate Students/2008 Group (Track 2)
  - Six students are currently enrolled in this track of the FJP. All 6 students are currently studying English language courses.
- Junior Undergraduate Students/2008 & 2009 Group (Track 3)
  - The 131 students in this track have all been studying English at the British Council in addition to their University coursework.

### **The JIJ and Future Judges Program**

ROLP continues to institutionalize the Future Judges Program procedures.

### **Strengthening the Managerial, Administrative and Institutional Capacity of the JIJ and the FJP Unit**

ROLP has continued its ongoing efforts of training, supervising and coordinating activities for the JIJ, as well as providing them with on-site support. ROLP maintains its daily technical and administrative support to the JIJ and its Director General.

## **OBJECTIVE 3: EXPAND ACCESS TO JUSTICE, RULE OF LAW AND PUBLIC AWARENESS OF THE RULE OF LAW**

### **GRANTS**

The ROLP small grants program is intended for increasing public awareness of and participation in the ongoing judicial upgrade process. Small grants of up to \$100,000 USD,

funded by USAID, promote ROLP's objective to expand access to justice, rule of law and public awareness of the rule of law.

Throughout the quarter, meetings were held with the grantees to clarify ROLP requirements and assist with project implementation.

### **Arab Council for Judicial and Legal Studies (ACJLS)**

In addition to the three existing grantees, the Arab Council for Judicial and Legal Studies (ACJLS) was awarded a grant of JD 70,797 (\$99,995 USD) for their unsolicited proposal entitled, "Establishing Indicators for Monitoring the Performance of the Judiciary and using those standards to Strengthen the Management of the Judiciary in Jordan."

### **Information Research Center – King Hussein Foundation: To be a Girl in Jordan: A Legal and Cultural Bias**

The project, implemented by IRC-KHF, explores the legal and cultural environment of the girl-child in Jordan. The grantee uses the term 'girl-child' to define female children and youth. The organization has adopted a three-pronged approach by; contextually mapping the state of the girl-child in Jordan, tracing the manner by which culture permeates into law makers' decisions and formulates prejudiced legislation in the Kingdom, and analyzing the role of the law in propagating discriminative practices against the girl-child. The project is making excellent and timely progress towards its final objective.

### **Assess and describe current policy and institutional framework applying to the girl-child in Jordan**

Interviews with legal representatives, stakeholders and social counselors are being analyzed and classified into major themes.

### **Investigate roles of tribal law, 'urf, sharia law, and other socio-economic factors in shaping the law**

24 stakeholder interviews with tribal and community leaders, Shari'a experts, civil society workers, sociologists, and economists from Northern, Middle and Southern areas of Jordan are complete.

Interviews with legal representatives began this quarter. Additionally, all scheduled interviews with school counselors from all female schools in Jordan were completed.

Development of the research database is complete. Sixty percent of these studies have been entered into the IRC's new website database. The IFH team is finalizing the last chapter of their manual. This manual will benefit all stakeholders working with children in the country, addressing the state of the girl-child from a psycho-social and health perspective. It will mobilize positive changes required to sustainably develop the state of the girl-child and highlight wrong practices in society.

### **Execute a National KAP (Knowledge, Attitude, and Practice) study on culture and the environment in which girls are raised**

Household questionnaires were finalized. A pilot study to test the questionnaire was conducted in Zarqa, sampling 25 wives and 25 husbands. Field work to collect data and complete the questionnaire has begun in five areas around Aqaba.

Legal consultant, Mr. Ayman Abu Sharkh, continues working on the legislative review of the state of the girl-child in Jordan including current policies and frameworks. He is linking major issues and themes from IRC interviews with current Jordanian law. In this way, he will investigate how tribal law, 'urf, sharia law, and other socio-economic factors shape Jordan's law.

### **Hold nationwide art workshops for girls to express their perceptions of themselves in society**

Sessions of the girl-child collage art assessment were completed in five cities by art therapist, Reem Abu Kishek. A total of 88 girls between the ages of 14-17 participated in these workshops. All activities were geared to stimulate the thought process of adolescents, capturing their thoughts and ideas. A glimpse of how the adolescents viewed their role and identity within the family was seen in the Collective Poem component of the workshop. From the age of 6, girls mentioned that their daily routines had shifted to boredom and homework whereas by 10, they were mandated to become veiled and begin assuming household responsibilities. Themes addressed in the group discussion revolved around voting, interference of family members (particularly brothers), dreams for the future and schools.

### **Al Thoria Center for Studies: Children's Rights Culture Dissemination in the Jordanian Badia Community**

The Thoria team saw many successes this past quarter for its first project phase:

- Enthusiastic responses from CBO representatives of the project idea, activities and its importance have been positively received, particularly since the project is addressing children as one of the most important sectors of society. Since there is a lack of programs and activities for Badia children, their participation with the Thoria team has been enthusiastic.
- Participation of Badia CBO representatives and local community leaders, both male and female, was exceeded for each child's rights session, due to its popularity and success.  
Participation of children between the ages of 12-18 years' old exceeded expectations. Training workshops were conducted to discuss Children's Rights Issues, build the capacity of children in the fields of effective communication, public participation, conflict resolution skills, teamwork and team-building skills in the three Jordanian Badia regions (Northern, Southern and Central).

### **The National Center for Human Rights: Protection of Children/Domestic Violence**

**Conduct workshops to educate parents, grandparents, religious leaders, and community leaders about family violence**

NCHR conducted 5 workshops this quarter targeting 152 mixed gender parents, grandparents, religious leaders and community leaders about family violence. The results and impact of the workshops evaluated based on pre- and post-workshop questionnaires confirming that awareness-raising sessions in human rights and domestic violence are enthusiastically embraced in the various regions of workshop locations. Violence towards girls is noticeably higher than boys.

**Conduct workshops for children and youth, raising awareness of their rights, empowering them with needed knowledge and skills to practice their rights and how to use these skills in real-life situations**

Four workshops for 141 youth participants revealed the lack of human rights advocacy programs and activities in Amman and other major Jordanian cities. Children gained a wealth of knowledge by eagerly participating in activities.

**OBJECTIVE 4: WINDOWS OF OPPORTUNITY****Ombudsman Capacity Building**

The Ombudsman investigates complaints from aggrieved persons against public administration entities. ROLP is assisting the JOB by working with subcontractors to prepare an organizational structure and strategic plan for JOB.

Consultant, Muna Hakooz is helping to develop an organizational structure which will help JOB fulfill its tasks effectively.

Al Jidara, a local subcontractor, provided “as-is” process reporting of JOB to enhance its capacity. Among the assessment findings and recommendations were the need to:

- Revise JOB’s current strategic plan drafted by the EU in 2009
- Improve the operational internal efficiency of processing citizen complaints

Revising the strategic plan stemmed from JOB’s desire to expand the scope of their mission and activities to include working with other government entities. The JOB also seeks to improve the quality of their public services as a result of lessons learned from JOB-investigated complaints. ROLP contracted with Structure Consulting to provide a comprehensive internal evaluation of JOB, deliver a final report of all findings, and revise the JOB strategic plan.

**Ministry of Social Development/Registry of Societies**

ROLP assisted the Registry of Societies to redraft existing regulations and directives that govern societies and their registration, as well as draft guidelines for the National Fund for Societies.

Recommendations were given to the Societies Registrar to simplify procedures and help enable societies comply with the terms and conditions of the updated Associations and Social Organizations Law of 2008, within the legal timeframe. Failure of a society to rectify their legal situation before this date would result in its disbanding. A key recommendation, endorsed by the Board of Registry, was to accept all requests from societies, albeit incomplete, for rectifying their legal situation to comply with the new law. Draft directives were given to the Registrar.

Revision of registration forms and other documentation as well as a draft of the Articles of Association template, to facilitate the registration of new societies, were completed.

ROLP participated in a roundtable discussion group organized by CSP and ICNL, at the request of the Societies Registrar, which resulted in the proposition of a strategy to launch the National Fund for Societies. ROLP will begin assisting the Registrar to draft the Fund by-laws in accordance with Societies Law.

### **Industry and Trade Law/Ministry of Industry and Trade**

Based on ROLP's 2007 study, MOJ formed a committee consisting of legal and IT members from relevant ministries and departments to recommend solutions for Industry and Trade fine cases in order to alleviate court congestion and find ways to resolve fine cases outside of the court. ROLP's proposed program design involved the transfer of data between the MOJ and MIT, facilitating the payment of fines. Since this program design was found to require amending existing Law on Industry and Trade, ROLP has been working with MIT to amend the existing law.